



PATENT
Docket No. 399242000900

DECLARATION FOR UTILITY PATENT APPLICATION

AS A BELOW-NAMED INVENTOR, WE HEREBY DECLARE THAT:

Our residence, post office address, and citizenship are as stated below next to our names.

We believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled: METHOD AND DEVICE FOR USE IN MINIMALLY INVASIVE PLACEMENT OF INTRAGASTRIC DEVICES, the specification of which is attached hereto unless the following box is checked:

☒ was filed on March 23, 2001 as United States Application Serial No. 09/816,850.

WE HEREBY STATE THAT I HAVE REVIEWED AND UNDERSTAND THE CONTENTS OF THE ABOVE-IDENTIFIED SPECIFICATION, INCLUDING THE CLAIMS, AS AMENDED BY ANY AMENDMENT REFERRED TO ABOVE.

We acknowledge the duty to disclose information which is material to the patentability as defined in 37 C.F.R. § 1.56.

We hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

Application No.	Country	Date of Filing (day/month/year)	Priority Claimed?
*			<input type="checkbox"/> Yes <input type="checkbox"/> No

We hereby claim benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

Application Serial No.	Filing Date
60/245,466	11/3/00

We hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112, we acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.



Application Serial No.	Filing Date	Status
*		<input type="checkbox"/> Patented <input type="checkbox"/> Pending <input type="checkbox"/> Abandoned

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date _____
Name: Roger de la Torre
Residence: 2312 Longest Drive, Wentzville, Missouri 63385
Citizenship: USA
Post Office Address: 2312 Longest Drive, Wentzville, Missouri 63385

Date _____
Name: J. Stephen Scott
Residence: 131 Muirefield Crest Court, St. Charles, Missouri 63304
Citizenship: USA
Post Office Address: 131 Muirefield Crest Court, St. Charles, Missouri 63304

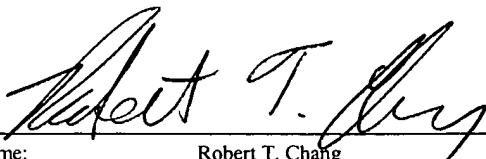
4/17/01
Date _____
Name: Thomas A. Howell
Residence: 567 Homer Avenue, Palo Alto, California 94301
Citizenship: USA
Post Office Address: 567 Homer Avenue, Palo Alto, California 94301

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Date _____
Name: George D. Hermann
Residence: 214A Grove Drive, Portola Valley, California 94028
Citizenship: USA
Post Office Address: 214A Grove Drive, Portola Valley, California 94028

Date _____
Name: David Shields
Residence: 155 Summerhill Lane, Woodside, California 94062
Citizenship: USA
Post Office Address: 155 Summerhill Lane, Woodside, California 94062


4/19/01

Date


Name: Robert T. Chang
Residence: 3314 Haskins Drive, Belmont, California 94002
Citizenship: USA
Post Office Address: 3314 Haskins Drive, Belmont, California 94002

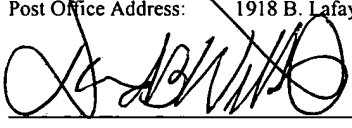
4/24/01

Date


Name: Neil Holmgren
Residence: 1918 B. Lafayette Street, Alameda, California 94501
Citizenship: USA
Post Office Address: 1918 B. Lafayette Street, Alameda, California 94501

4/25/01

Date


Name: David Willis
Residence: 850 College Avenue, Palo Alto, California 94306
Citizenship: USA
Post Office Address: 850 College Avenue, Palo Alto, California 94306



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Satiety, Inc.

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Date

David Shields
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Docket No. 399242000900

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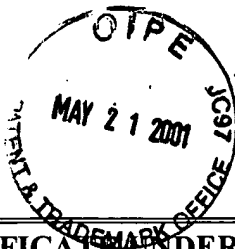
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4/23/01
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 Name: David Shields
 Residence: 155 Summerhill Lane, Woodside, California 94062
 Citizenship: USA
 Post Office Address: 155 Summerhill Lane, Woodside, California 94062



PTO/SB/96 (10-92)

CERTIFICATE UNDER 37 C.F.R. § 3.73(b)

Docket No. 399242000900

In the application of: Roger de la TORRE, et al.
Serial No.: 09/816,850
Filed: March 23, 2001
For: METHOD AND DEVICE FOR USE IN MINIMALLY INVASIVE PLACEMENT OF
INTRAGASTRIC DEVICES

Satiety, Inc., Delaware a corporation, certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application identified above. A copy of which is attached.

OR

B. ☐ A chain of title from the inventor(s) of the patent application identified above, to the current assignee as shown below:

1. From : *

To: *

The document was recorded in the Patent and Trademark Office at Reel *, Frame *, or for which a copy thereof is attached.

2. From : *

To: *

The document was recorded in the Patent and Trademark Office at Reel *, Frame *, or for which a copy thereof is attached.

3. From : *

To: *

The document was recorded in the Patent and Trademark Office at Reel *, Frame *, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to sign this certificate on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Dated: 25 APRIL 2001


Name: Robert T. Chang

Title: Chief Operating Officer

ASSIGNMENT JOINT

THIS ASSIGNMENT, by Roger de la TORRE, J. Stephen SCOTT, Thomas A. HOWELL, George D. HERMANN, David SHIELDS, Robert T. CHANG, Neil HOLMGREN, and David WILLIS (hereinafter referred to as the assignors), residing at 2312 Longest Drive, Wentzville, Missouri 63385; 131 Muirefield Crest Court, St. Charles, Missouri 63304; 567 Homer Avenue, Palo Alto, California 94301; 214A Grove Drive, Portola Valley, California 94028; 155 Summerhill Lane, Woodside, CA 94062; 3314 Haskins Drive, Belmont, California 94002; 1918 B Lafayette Street, Alameda, California 94501; and 850 College Avenue, Palo Alto, California 94306, respectively, witnesseth:

WHEREAS, said assignors have invented certain new and useful improvements in METHOD AND DEVICE FOR USE IN MINIMALLY INVASIVE PLACEMENT OF INTRAGASTRIC DEVICES, set forth in an application for Letters Patent of the United States, bearing Serial No. 09/816,850 and filed on March 23, 2001; and

WHEREAS, Satiety Inc., a corporation duly organized under and pursuant to the laws of Delaware and having its principal place of business at 3260 Alpine Road, Portola Valley, California 94028 (hereinafter referred to as the assignee) is desirous of acquiring the entire right, title and interest in and to said inventions and said application for Letters Patent of the United States, and in and to any Letters Patent or Patents, United States or foreign, to be obtained therefor and thereon:

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and sufficient consideration, the receipt of which is hereby acknowledged, said assignors have sold, assigned, transferred and set over, and by these presents do sell, assign, transfer and set over, unto said assignee, its successors, legal representatives and assigns, the entire right, title and interest in and to the above-mentioned inventions, application for Letters Patent, and any and all Letters Patent or Patents in the United States of America and all foreign countries which may be granted therefor and thereon, and in and to any and all divisions, continuations and continuations-in-part of said application, or reissues or extensions of said Letters Patent or Patents, and all rights under the International Convention for the Protection of Industrial Property, the same to be held and enjoyed by said assignee, for its own use and the use of its successors, legal representatives and assigns, to the full end of the term or terms for which Letters Patent or Patents may be granted, as fully and entirely as the same would have been held and enjoyed by the assignors, had this sale and assignment not been made.

AND for the same consideration, said assignors hereby covenant and agree to and with said assignee its successors, legal representatives and assigns, that, at the time of execution and delivery of these presents, said assignors are the sole and lawful owners of the entire right, title and interest in and to said inventions and the application for Letters Patent above-mentioned, and that the same are unencumbered and that said assignors have good and full right and lawful authority to sell and convey the same in the manner herein set forth.

AND for the same consideration, said assignors hereby covenant and agree to and with said assignee, its successors, legal representatives and assigns, that said assignors will, whenever counsel of said assignee, or the counsel of its successors, legal representatives and assigns, shall advise that any proceeding in connection with said inventions, or said application for Letters Patent, or any proceeding in connection with Letters Patent for said inventions in any country, including interference proceedings, is lawful and desirable, or that any division, continuation or continuation-in-part of any application for Letters Patent or any reissue or extension of any Letters Patent, to be obtained thereon, is lawful and desirable, sign all papers and documents, take all lawful oaths, and do all acts necessary or required to be done for the procurement, maintenance, enforcement and defense of Letters Patent for said inventions, without charge to said assignee, its successors, legal representatives and assigns, but at the cost and expense of said assignee, its successors, legal representatives and assigns.

AND said assignors hereby request the Commissioner of Patents to issue said Letters Patent of the United States to said assignee as the assignee of said inventions and the Letters Patent to be issued thereon for the sole use of said assignee, its successors, legal representatives and assigns.

Date

Roger de la Torre

Date
4/17/01

Date
4/17/01

Date

J. Stephen Scott

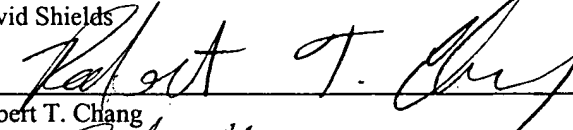

Thomas A. Howell

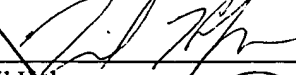
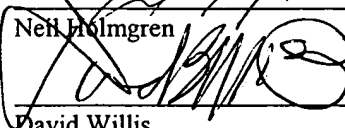
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AND for the same consideration, said assignors hereby covenant and agree to and with said assignee its successors, legal representatives and assigns, that, at the time of execution and delivery of these presents, said assignors are the sole and lawful owners of the entire right, title and interest in and to said inventions and the application for Letters Patent above-mentioned, and that the same are unencumbered and that said assignors have good and full right and lawful authority to sell and convey the same in the manner herein set forth.

AND for the same consideration, said assignors hereby covenant and agree to and with said assignee, its successors, legal representatives and assigns, that said assignors will, whenever counsel of said assignee, or the counsel of its successors, legal representatives and assigns, shall advise that any proceeding in connection with said inventions, or said application for Letters Patent, or any proceeding in connection with Letters Patent for said inventions in any country, including interference proceedings, is lawful and desirable, or that any division, continuation or continuation-in-part of any application for Letters Patent or any reissue or extension of any Letters Patent, to be obtained thereon, is lawful and desirable, sign all papers and documents, take all lawful oaths, and do all acts necessary or required to be done for the procurement, maintenance, enforcement and defense of Letters Patent for said inventions, without charge to said assignee, its successors, legal representatives and assigns, but at the cost and expense of said assignee, its successors, legal representatives and assigns.

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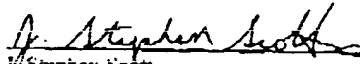
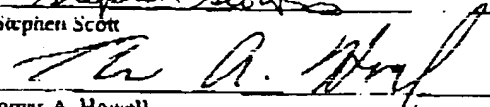
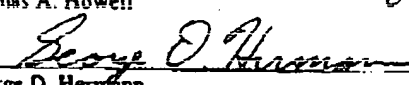
Date

4/19/01

Roger de la Torre

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Attorney Docket No. 309242000000

4/17/01	
Date	Stephen Scott
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Date	Thomas A. Howell
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